

BEFORE THE SOUTH CAROLINA BOARD OF EDUCATION

In the Matter of the)	
)	
Suspension of the Educator)	ORDER OF SUSPENSION
)	
Certificate of Jill Perry McCutcheon)	
)	
Certificate # 162734)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 12, 2004. On June 16, 2004, the State Department of Education (Department) sent Ms. Jill Perry McCutcheon a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educator certificate by certified mail, return receipt requested, delivery restricted to addressee and regular mail. Ms. McCutcheon received this notice as evidenced by a postal confirmation dated July 19, 2004. She did not request a hearing within the time frame specified within the notice letter. After considering the evidence presented by the Department, the State Board voted to suspend Ms. McCutcheon's certificate until she repays her outstanding loan with the State of South Carolina obtained through the Center for Teacher Education, Recruitment, Retention and Advancement (CERRA).

FINDINGS OF FACT

Ms. McCutcheon holds a valid certificate with over twelve years of teaching experience. She was under contract with the Greenville County School District (District) for the 2004-2005 school year. On August 6, 2001, Ms. McCutcheon signed a promissory note with the State of South Carolina to obtain a loan of \$2300 to pay for the costs of applying for certification from the National Board for Professional Teaching Standards (NBPTS). One of the terms of that agreement was that Ms. McCutcheon agreed to repay the \$300 non-refundable

application fee if she withdrew from the application process prior to the submission of the required portfolio to NBPTS. Ms. McCutcheon did withdraw prior to that date and has not repaid the \$300. CERRA and the State Department of Education sent several letters notifying Ms. McCutcheon informing her that the \$300.00 was now due and of the consequences for failing to repay the amount due.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is substantial evidence supporting its decision to suspend Ms. McCutcheon's certificate # 162734, from the date of this Order until she has satisfied her financial obligation in the amount of \$300 to the State of South Carolina, as established in the loan agreement referenced above. At the end of the suspension period if Ms. McCutcheon wishes to have her certificate reinstated, she may make a written request for reinstatement to the Office of Teacher Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina
October 12, 2004